



UNCLASSIFIED

Position Description

Read each heading carefully before proceeding. Make statements simple, brief, and complete. Be certain the form is signed.

CHECK ONE: ☐ NEW POSITION ☒ EXISTING POSITION

Part 1 - Items 1 through 12 to be completed by department head or Human Resources office.

1. Agency Name Kansas Department of Commerce - 300		9. Position # K0216353		10. Working Title Attorney		Agency Number 300	
2. Employee Name (leave blank if position vacant)				11. Present Class Title (if existing position) Attorney			Position Number K0216353
3. Division Legal				12. Proposed Class Title (if requesting reallocation)			
4. Section				13. Allocation			
5. Unit		For use by Human Resources Office		14. Effective Date		13a. FLSA Status <input type="checkbox"/> Non-exempt <input checked="" type="checkbox"/> Exempt	
6. Location (address where employee works) City Topeka County Shawnee				15. By		Approved	
				16. Audit Date: By: Date: By:			
7. (check appropriate time) <input checked="" type="checkbox"/> Full time <input type="checkbox"/> Reg. <input type="checkbox"/> Part time (____%) <input checked="" type="checkbox"/> Temp.						17. Audit Date: By: Date: By:	
8. Regular hours of work: From: 8:00am To: 5:00pm							

PART II - To be completed by department head, personnel office or supervisor of the position.

18. If this is a request to reallocate a position, briefly describe the reorganization, reassignment of work, new function added by law or other factors which changed the duties and responsibilities of the position.

19. Who is the supervisor of this position? (Who assigns work, gives directions, answers questions and is directly in charge.)

Name	Title	Position Number
Robert North	Chief Counsel	K0214410

Who evaluates the work of an incumbent in this position?

Name	Title	Position Number
Robert North	Chief Counsel	K0214410

20. a) How much latitude is allowed employee in completing the work? b) What kinds of instructions, methods and guidelines are given to the employee in this position to help do the work? c) State how and in what detail assignments are made.

- a) Employee has maximum latitude to perform the work.
- b) Employee is guided by statutes, regulations, court rules, Department of Commerce policy and informal instructions.
- c) Employee is given policy level direction by Chief Counsel.

21. Describe the work of this position using the page or one additional page only. Use the following format for describing job duties:

What is the action being done (use an action verb); to **whom** or **what** is the action directed (object of action); **why** is the action being done (be brief); **how** is the action being done (be brief). For each task state: Who reviews it? How often? What is it reviewed for?

Number each task and indicate percent of time and identify essential (E) or marginal (M) functions.

This position provides expertise in complex specialty areas of the regulations and statutes. This position represents the agency in complex and important matters. Conducts complex and lengthy negotiations and litigation on behalf of the agency.

1. 30% E **Consultation, Legal Research and Advice**

For the Workforce Services Division, AJLA, CIAC, KAC and other divisions, receives oral or written questions from other employees of the agency or receives oral or written assignments from the Chief Attorney. Identifies the legal and/or policy issues which are involved in the questions or assignments. Searches for primary and/or secondary legal authority to answer the legal and/or policy issues which must be answered. Exercises sound legal reasoning to organize, analyze and summarize legal research. Dictates, types or otherwise clearly communicates memoranda or briefs which identify the legal and/or policy issues involved, the legal authorities pertinent to the legal and/or policy issues involved, and where appropriate, the possible courses of action that might be taken and the possible results from each possible course of action. Communicates and reasons, orally or in writing, for consideration by others the course of action which the employee believes is most appropriate in light of all the circumstances, including the agency's goals, policies and the wishes of the Secretary and the Governor.

2. 35% E **Reviewing, Drafting and Editing Internal Memoranda, Letters, Policies, Manuals and Regulations**

Reads, analyzes and evaluates agency letters and interoffice memos, policy statements, personnel and program manuals and proposed administrative regulations on Workforce Services issues for compliance with current law, legal authority, legal reasoning and legal implications. Researches and drafts agency letters and interoffice memos, policy statements, personnel and program manuals and administrative regulations which comport with current federal and state law. Edits letters and interoffice memos, policy statements, personnel and program manuals, and administrative regulations.

3. 20% M **General Legal Counsel**

Provides legal counsel to Commerce Workforce Services Division administrative officials and field personnel to assure that Commerce and its subdivisions perform their respective duties in accordance with the law and also to aid in the compliance with the Workforce Innovation and Opportunity Act (WIOA) and other federal laws and regulations.

4. 10% E **Litigation and Administrative Hearings**

Reads, analyzes and evaluates the legal and factual claims raised in letters, motions, discovery, memoranda, briefs, pleadings and appellate briefs delivered to the agency by opposing parties. Researches and drafts letters, motions, discovery, memoranda, briefs, pleadings and appellate briefs. Travels to, attends and actively participates in meetings, depositions, hearings and trials. Represents the agency at administrative hearings and tries cases on behalf of the agency in state and federal courts by presenting evidence, examining and cross-examining witnesses, stating and explaining objections, and arguing motions, objections and other legal issues. Travels to, attends and argues legal issues in cases before appellate courts. Travels to, attends and presents and states the agency's views and positions in alternative dispute resolution proceedings.

Special Tasks Assigned

5. 5% M Performs whatever special tasks the Chief Attorney, the Secretary or the Deputy Secretary for Workforce Services may assign from time to time. These special tasks are varied in nature and may concern issues arising from any aspect of the Agency's programs or operations.

***Some or all duties may be altered in response to a disaster or large-scale emergency. This may include temporary reassignment to another work unit, division, state agency or physical location. ***

22. a. If work involves leadership, supervisory, or management responsibilities, check the statement which best describes the position.

- ☒ Lead worker assigns, trains, schedules, oversees, or reviews work of others.
- ☐ Plans, staffs, evaluates, and directs work of employees of a work unit.
- ☐ Delegates authority to carry out work of a unit to subordinate supervisors or managers.

b. List the names, class titles, and position numbers of all persons who are supervised directly by employee on this position.

Title

Position Number

23. Which statement best describes the results of error in action or decision of this employee?

- ☐ Minimal property damage, minor injury, minor disruption of the flow of work.
- ☐ Moderate loss of time, injury, damage or adverse impact on healthy and welfare of others.
- ☒ Major program failure, major property loss, or serious injury or incapacitation.
- ☐ Loss of life, disruption of operations of a major agency.

Please give examples.

Potential lawsuits and/or administrative sanctions, both state and federal. This position is also involved in matters which affect the conduct of agency operations such as property matters and restraining orders. A failure in this area may seriously disrupt agency operations.

24. For what purpose, with whom and how frequently are contacts made with the public, other employees or officials?

This position contacts judges, court staff, attorneys, court reporters, law enforcement personnel, members of the public, Department of Commerce employees, contractors, expert witnesses, state and federal officials, legislators and witnesses. This contact can be for case preparation, fact gathering, legal representation, negotiations or court litigation. This employee also has contact with agency managers on issues related to litigation, regulations, workforce development and related issues.

25. What hazards, risks or discomforts exist on the job or in the work environment?

Normal office environment.

26. List machines or equipment used regularly in the work of this position. Indicate the frequency with which they are used.

Laptop, PC, cassette recorder and speaker phones.

PART III - To be completed by the supervisor or Human Resources office

27. A. List the Minimum Requirements (minimum qualifications) as stated in the state's official Class Specification. If the Class Specification has a "substitution statement", it must be replaced by whatever the agency deems to be an acceptable substitution (see the HR office for assistance). If no substitution is acceptable, then the substitution statement must be deleted.

Minimum Requirements/Qualifications:

J.D. Degree from an accredited law school. Certification of admission to the Bar of the Supreme Court of Kansas. Complex work experience in licensed law practice

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- B. List any Preferred Qualifications that a well-qualified candidate (or incumbent) should have.

Preferred Qualifications:

28. SPECIAL QUALIFICATIONS

State any additional qualifications for this position that are necessary either as a physical requirement of an incumbent on the job, a necessary special requirement, a bona fide occupational qualification (BFOQ) or other requirement that does not contradict the education and experience statement on the class specification. A special requirement must be listed here in order to obtain selective certification.

Signature of Employee

Date

Signature of Personnel Official

Date

Signature of Supervisor

Date

Signature of Appointing Authority

Date